IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.490 OF 2003
IN
CRIMINAL REVISION APPLICATION NO.46 OF 2003

ALONG WITH

CRIMINAL APPLICATION NO.491 OF 2003
IN
CRIMINAL REVISION APPLICATION NO.47 OF 2003

ALONG WITH

CRIMINAL APPLICATION NO.492 OF 2003
IN
CRIMINAL REVISION APPLICATION 48 OF 2003

Mr.V.M.Bhuktar ...Applicant

Versus

Padmakar Gangadhar Ganar & Anr. ...Respondents

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Mr.Pratap Patil for Applicant.

Mr.Deepak Girme for Respondent No.1.

Mr.K.V.Saste, A.P.P. for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 7, 2004.

P.C.

1. Heard Counsel for the parties.

2. By these Applications, the Applicant prays that delay in filing the Revision Applications be condoned. Delay is of about more than 500 days. According to the Applicant, through proper channel, the Applicant had requested the Law and Judiciary Department to accord approval for institution of the Revision Applications. That request was rejected on 16th October 2001 and communication thereof was forwarded to the Applicant. Thereafter, the matter was once again examined and it was thought appropriate to pursue the matter against the Respondent. In that backdrop, once again, confidential letter dated 17th June 2002 was sent by the Director, Animal Husbandry, Pune, requesting the Government for filing appeal. Eventually, the Government acceded to the said request. Upon receipt of communication about Government's decision on 12th November 2002, the Applicant by letter dated 13th December 2002 approached the Government Pleader, High Court, Mumbai, who in turn, drafted three different Revision Applications and filed the same on 3rd February 2003. In other words, it is submitted that there is sufficient cause for condoning the

delay and the Applicant being Government Department was required to pursue the matter through proper channel which took time, for the reasons indicated earlier.

3. In my opinion, having regard to the materials on record, the Applicant has made out sufficient cause for condoning the delay though of around 575 days. In the peculiar facts of the present case, Applications are allowed in terms of prayer clause (a). Revision Applications be placed for admission in the week commencing from 13th December 2004.

A.M.KHANWILKAR, J.